

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.  
Attn: Bhuvana Gopalakrishnan  
3007 Malibu Canyon Road  
Malibu, CA 90265

JC806 U.S. PTO  
09/692717  
10/20/00

Deposited on Behalf of: Ceres, Incorporated

Identification Reference by Depositor:

Patent Deposit Designation

*Escherichia coli* LIBA021800

PTA-1411

The deposit was accompanied by: ☐ a scientific description ☒ a proposed taxonomic description indicated above.

The deposit was received February 23, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested March 1, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
Barbara E. Coupé, Administrator, Patent Depository

Date: March 1, 2000

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10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-

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THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.  
Attn: Ling-Fong Chung  
3007 Malibu Canyon Road  
Malibu, CA 90265

JC806 U.S. PTO  
09/692717  
10/20/00

Deposited on Behalf of: Ceres, Incorporated

Identification Reference by Depositor:

Patent Deposit Designation

*Arabidopsis thaliana* Wassilewskija ecotype seeds

PTA-595

The seeds were accompanied by: ☐ a scientific description X a proposed taxonomic description indicated above. The seeds were received August 31, 1999 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the seeds for 30 years.

The seeds will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the seeds and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said seeds.

If the seeds should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with viable seeds of the same.

The seeds will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the seeds cited above was tested September 7, 1999. On that date, the seeds were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, Patent Depository

Date: September 9, 1999

cc: Raymond Stewart, Esq. (Ref. Docket 80001.100)

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.  
Attn: Ling-Fong Chung  
3007 Malibu Canyon Road  
Malibu, CA 90265



Deposited on Behalf of: Ceres, Inc.

Identification Reference by Depositor:

Patent Deposit Designation

PTA-1161

*Escherichia coli* LIBA010600

The deposit was accompanied by: ☐ a scientific description ☒ a proposed taxonomic description indicated above.

The deposit was received January 7, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 19, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, Patent Depository

Date: January 19, 2000

cc: Raymond Stewart, Esq. (Ref. 80070.100)

A

**BIRCH STEWART, KOLASCH & BIRCH, LLP**

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Date: October 20, 2000

Docket No.: 2750-1300P

**BOX PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c), which claims priority under 35 U.S.C. § 119(e) of Provisional Application No. 60/160,767 filed on October 21, 1999.

Inventor(s): Nickolai ALEXANDROV, Maxim TROUKHAN

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING  
POLYPEPTIDES ENCODED THEREBY

Enclosed are:

- ☒ A specification consisting of Description (94 pages), Table 1 (4 pages), Claims (3 pages), Schematic (1 page), and an Abstract (1 page) totaling one-hundred and three (103) pages
- ☐ ( ) sheet(s) of formal drawings
- ☐ Certified copy of Priority Document(s)
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☒ A statement to establish small entity status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27



- ☐ Preliminary Amendment
- ☒ Information Sheet
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Amend the specification by inserting before the first line the sentence:

--This application claims priority on provisional Application No.            filed on            , the entire contents of which are hereby incorporated by reference.--

- ☒ Two identical CD-Rs created using IBM-PC, MS-Windows operating system. The files contained on the CD-R are as follows:

| File Name                   | Date of Creation | File Size |
|-----------------------------|------------------|-----------|
| 001018 Protein Domain Table | October 19, 2000 | 2.05 MB   |

- ☐ Amend the specification by inserting before the first line the sentence:

--This application contains a CDR, the entire contents of which are hereby incorporated by reference. The CDR contains the following files:

| File Name | Date of Creation | File Size |
|-----------|------------------|-----------|
|           |                  |           |

- ☒ Other: Power of Attorney regarding Small Entity Statement, ATCC Deposit receipts PTA-595, PTA-1161, PTA-1411

The filing fee has been calculated as shown below:

|  |              |              | LARGE ENTITY  | SMALL ENTITY  |
|--|--------------|--------------|---------------|---------------|
| BASIC FEE  |              |              | \$690.00      | \$345.00      |
|  | NUMBER FILED | NUMBER EXTRA | RATE FEE      | RATE FEE      |
| TOTAL CLAIMS   | 20- 20 =     | 0            | X 18 = \$0.00 | x 9 = \$0.00  |
| INDEPENDENT CLAIMS   | 3- 3 =       | 0            | x 78 = \$0.00 | x 39 = \$0.00 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED |              |              | + \$260.00    | + \$130.00    |
| TOTAL  |              |              | \$0.00        | \$345.00      |

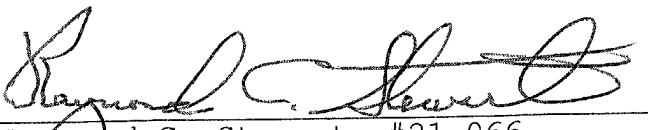
- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$345.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 50-1055 in the amount of \$0.00 to cover the filing fee. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP - **Customer No. 2292**  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000

If the Primary Deposit Account No. 50-1055 is deficient and non-payment will result in a loss of rights, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

RCS/CAV  
2750-1300P

P.O. Box 747  
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Attachments

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

10/24/2000 ETULU1 00000005 501055 09692717  
01 FC:201 10.00 CH 345.00 OP

PTO-1556  
(5/87)

\*U.S. GPO: 1999-459-082/19144